

PROB 12B  
(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Yves Desir, Jr.

Cr.: 06-790-03  
PACTS Number: 47088

Name of Sentencing Judicial Officer: Honorable Susan D. Wigenton, United States District Judge

Date of Original Sentence: 06/01/09

Original Offense: Conspiracy to Defraud the Government with Respect to Claim

Original Sentence: 4 years probation. \$100 special assessment and \$63,683.57 in restitution. Special conditions: 1) 6 months Location Monitoring Program; 2) full financial disclosure; 3) cooperate with the Internal Revenue Service; 4) mental health evaluation and treatment; and, 5) no new debt or additional lines of credit.

Type of Supervision: Probation

Date Supervision Commenced: 06/01/09

**PETITIONING THE COURT**

- [ ] To extend the term of supervision for        Years, for a total term of        Years.  
[X] To modify the conditions of supervision as follows. The addition of the following special condition(s):

**ALCOHOL/DRUG TESTING AND TREATMENT**

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.

**CAUSE**

On October 9, 2012, Desir tested positive for marijuana (National Testing Lab specimen #B02149127). Desir admitted to smoking marijuana on August 1, 2012, while celebrating his birthday.

Respectfully submitted,

Adriana Garcia O'Hara  
2012.12.14 10:07:42  
-05'00'

By: **Adriana Garcia**

**U.S. Probation Officer**

Date: 10/23/12

Carolee Ann  
Azzarello  
2012.12.20  
17:04:01  
-05'00'

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**THE COURT ORDERS:**

- ☒ The Modification of Conditions as Noted Above
- ☐ The Extension of Supervision as Noted Above
- ☐ No Action
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Date

January 7, 2013